IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 3959 of 2001

Between:

Mohd. Javed Ahmed, S/o.Iqbal Ahmed,
Resident of 12-1-881, Asifnagar,
Hyderabad.

..... PETITIONER

AND

Assistant Secretary, Regional Transport Authority,
West Zone, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not registering the Motor vehicle bearing chassis No.UBE 457550 and with engine No.UBE 338884 by the respondent on the ground that the application for the registration was not accompanied by clearance certificate from commercial tax Department, as illegal, arbitrary and contrary to the provisions of the M.V.Act 1988 and rules made thereunder and consequently direct the respondents to register the vehicle as per the provisions of the M.V.Act without insisting the clearance certificate.

Counsel for the Petitioner:MR.CH.RAVINDER

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following O R D E R:

This writ petition is filed questioning the action of the respondent in insisting for production of clearance certificate from the Commercial Department for the purpose of registering the vehicle.

At the stage of admission, this Court, by order dated 08.03.2001, granted interim orders directing the respondent to register the vehicle bearing chassis No.UBE 457550 with Engine NO.UBE 338884 as per the provisions of the Motor Vehicles Act without insisting for clearance certificate from the Commercial Tax Department.

Though the writ petition is of the year 2001, no counter is filed by the respondent, which empowers for insistence of the clearance certificate. In that view of the matter, the order dated 08.03.2001 shall be treated as final order in the writ petition and the writ petition is accordingly closed. No costs.

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23.06.2005

usd

To

1 The Assistant Secretary, Regional Transport Authority,
West Zone, Hyderabad.

2 Two CCS to G.P. for Transport, High Court of A.P., Hyderabad (OUT).

3 Two CD copies.